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	FILING DATE	FIRST NAMED INVENTOR			
	1	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/662,385	09/16/2003	Takashi Ohira	Q77491	2169	
7590	07/28/2006	EXAMINER			
SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC 2100 Pennsylvania Avenue, N.W.			BERMAN, SUSAN W		
Washington, DC 20			ART UNIT	PAPER NUMBER	
•			1711		
			DATE MAILED: 07/28/2006		

Please find below and/or attached an Office communication concerning this application or proceeding.

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		Applicat	ion No.	Applicant(s)					
Office Action Summary		10/662,3	385	OHIRA, TAKASHI					
		Examine	er	Art Unit					
		Susan W	/. Berman	1711					
	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply								
A SH WHIC - Exte after - If NC - Failu Any	ORTENED STATUTORY PERIOD FO CHEVER IS LONGER, FROM THE MA nsions of time may be available under the provisions of SIX (6) MONTHS from the mailing date of this commu- p period for reply is specified above, the maximum stature to reply within the set or extended period for reply verify received by the Office later than three months affed patent term adjustment. See 37 CFR 1.704(b).	AILING DATE OF T of 37 CFR 1.136(a). In no e unication. tutory period will apply and vill, by statute, cause the ap	HIS COMMUNIC vent, however, may a re will expire SIX (6) MONI oplication to become ABA	CATION. Exply be timely filed ITHS from the mailing date of this cor ANDONED (35 U.S.C. § 133).					
Status									
1)⊠	Responsive to communication(s) filed	d on <i>02 May 2006</i> .							
		b) This action is	non-final.						
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.								
Disposit	ion of Claims								
4)⊠ Claim(s) <u>13-25</u> is/are pending in the application.									
-	4a) Of the above claim(s) is/are withdrawn from consideration.								
	5) Claim(s) is/are allowed.								
· · · · · · · · · · · · · · · · · · ·	6) Claim(s) is/are rejected.								
	7) Claim(s) is/are objected to.								
·	8) Claim(s) <u>13-25</u> are subject to restriction and/or election requirement.								
Applicat	ion Papers								
9)	The specification is objected to by the	Examiner.							
	10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.								
<i>,</i> —	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).								
	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).								
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.									
Priority (under 35 U.S.C. § 119								
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of:									
	1. Certified copies of the priority documents have been received.								
	2. Certified copies of the priority documents have been received in Application No								
	3. Copies of the certified copies of the priority documents have been received in this National Stage								
	application from the Internation	nal Bureau (PCT Ru	ıle 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.									
Attachmer	at(s)								
	ce of References Cited (PTO-892)	TO 0.40\		ummary (PTO-413)					
	ce of Draftsperson's Patent Drawing Review (Pomation Disclosure Statement(s) (PTO-1449 or I)/Mail Date Iformal Patent Application (PTO	-152)				
	er No(s)/Mail Date		6) Other:						

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Response to Amendment

The amendment filed on 05-02-2006 canceling all claims drawn to the elected invention and presenting only claims drawn to a non-elected invention is non-responsive (MPEP § 821.03). The remaining claims are not readable on the elected invention because the claims are drawn to a method for preparing a golf ball while the claims to the invention were drawn to a golf ball having a coating obtained by curing the recited paint composition.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Election/Restrictions

Newly submitted claims 13-25 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-12, drawn to a golf ball having a coating obtained by curing the recited paint composition, classified in class 473, subclass 351.
 - II. Claims 13-25, drawn to a method for preparing a golf ball, classified in class 427, subclass 487.

The inventions are distinct, each from the other because of the following reasons:

Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make another and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by another and materially different process. For example, coating the paint composition on the ball and curing with thermal energy or by chemical initiation or by curing the composition without employing a drying step to vaporize water.

Because these inventions are independent or distinct for the reasons given above and have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper. Because these inventions are independent or distinct for the reasons given above and the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 13-25 are withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan W. Berman whose telephone number is 571 272 1067. The examiner can normally be reached on M-F 9:30-6:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Seidleck can be reached on 571 272 1078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SB 7/11/06

Susan W Berman
Primary Examiner
Art Unit 1711